

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION**

IN RE: Andrew Joseph Hamilton  
Lisa Gail Hamilton  
*Debtor*

**ORDER**

Case number: 09-50632

THIS CAUSE came to be heard upon papers previously filed; upon Debtor's motion for leave to incur debt and approve a loan modification agreement; upon proper service of said motion on all creditors who have filed timely filed claims in the captioned case and the Trustee; upon the failure of said creditors to file an objection or otherwise appear before this court; upon the presence of the Debtor(s) by counsel, and the presence and consent of the Trustee; and was argued.

WHEREAS, it appearing to the Court as follows:

1. This Court has jurisdiction over this proceeding pursuant to 28 U.S.C 157 and 28 U.S.C. 1334 and this matter is a core proceeding.
2. Debtor has filed a chapter 13 bankruptcy petition on or about April 27, 2009.
3. This Court entered has not entered an Order confirming a proposed chapter 13 plan in this case.
4. Debtors desire for this Court to approve a loan modification agreement which was attached to the motion to incur debt and approve a loan modification agreement dated May 1, 2009. The loan modification agreement is consistent with debtor's proposed chapter 13 plan and will not adversely affect general unsecured creditors.

UPON CONSIDERATION WHEREOF, it appearing proper to the Court, it is accordingly ORDERED as follows:

1. Debtor shall be and is hereby authorized to enter into the loan modification agreement with CIT Group/Consumer Finance, Inc. a copy of which was attached to Debtor's motion to this Court.

Dated: November 23, 2009

*Ross W. Krumm*

JUDGE

SEEN AND AGREED:

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/s/ Roland S. Carlton, Jr.

Roland S. Carlton, Jr., Esq.  
Counsel for Debtor

/s/ Roland S. Carlton, Jr.

Herbert L. Beskin, Trustee